

City of Detroit

CITY COUNCIL

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FISCAL ANALYSIS DIVISION
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ANNE MARIE LANGAN
ASSISTANT FISCAL ANALYST
(313) 224-1078

TO: COUNCILMEMBERS

FROM: Irvin Corley, Jr., Director *IC*
Derrick Headd, Fiscal Staff Analyst *DH*

DATE: February 16, 2007

RE: Bound Volumes of City Council Proceedings (**Related to Item 7**)

On Tuesday February 6, during Council's meeting on establishing rules for its standing committees, the topic of the bound volumes of City Council Proceedings being six years behind was raised. Councilmember Watson requested that the Fiscal Analysis Division review the City's payment history to the Detroit Legal News's work relating to the bound volumes of City Council Proceedings, in order to determine if late payments were a factor, or if the Detroit Legal News was paid for work it had not delivered on. In addition, Council President Pro-Tem Conyers asked for a copy of the contract between the City and the Detroit Legal News in order to determine if there is a performance clause in the contract.

In meeting with the Clerk's Office and the Finance Department's Purchasing Division, we were able to determine the following. Regarding Councilmember Watson's concerns, the problems with the bound (hardcover) journals of the City Council proceedings are primarily related to challenges with indexing and proofreading not payments, according to the Clerk's Office. As of February 7, 2007, the Clerk's Office has expended \$424,906 (48%) of its \$889,724 in its Printing costs in object 626100. The Budget Department verified that this level of expenditure is consistent with recent fiscal year history at this date. Approximately 90% pf the printing costs in this object are directly attributable to Detroit Legal News expenditures, which cover costs in the current fiscal year.

According to the Clerk's Office, the payments to the Legal News for the bound volumes of City Council Proceedings of are made after delivery and invoicing. In addition, the Clerk's Office stated that it anticipates the arrival of the bound volumes for 2001-03 in the next two weeks and the bound editions for 2004 and 2005 by the first week of June 2007. Additionally, the Clerk's Office stated that the Detroit Legal News is aggressively pursuing acquiring updated software, in order to make the process indexing and proofreading the volumes of City Council Proceedings more efficient and expedient, to avoid any similar delays in the future.

Regarding Council President Pro-Tem Conyers concerns, we have attached a copy of the Request for Quotation. Upon our review, the Detroit Legal News is required to provide

the denoted items in the contract by court statute and required public notice dates (page 2 of the RFQ), in addition to providing its newspaper on the same day it is published (page 4 of the RFQ). We will provide an actual copy of the contract upon receipt.

As a point of information, the unbound journals of the City Council proceedings in pamphlet form up to November 21, 2006, are currently available in the Clerk's Office.

Please contact us if we can be of any further assistance.

Attachment

cc: Council Divisions
Auditor General's Office
Janice Winfrey, City Clerk
Roger Short, Chief Financial Officer
Pamela Scales, Budget Director
Alia Moss, Budget Team Leader
Kandia Milton, Mayor's Office

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CITY OF DETROIT
FINANCE DEPARTMENT
PURCHASING DIVISION
1008 COLEMAN A. YOUNG
MUNICIPAL CENTER
DETROIT, MICHIGAN 48226
PHONE 313 • 224 • 4600
FAX 313 • 224 • 4374

PLEASE RETURN THIS FORM even though you cannot submit a bid and state your reason. Your name may be removed from the mailing list for failure to bid and/or failure to state reasons for not submitting a bid.

Request for Quotation

RFQ NUMBER 12256 REVISION PAGE 1

THE ABOVE NUMBER MUST APPEAR ON ALL CORRESPONDENCE

SHIP TO
Coleman A Young Municipal Ce
2 Woodward Avenue
Ste 200
Detroit, MI 48226
US
BILL TO
Coleman A Young Municipal Ce
2 Woodward Avenue
Ste 642
Detroit, MI 48226
US

SUPPLIER

DETROIT LEGAL NEWS THE
2001 W LAFAYETTE
DETROIT, MI 48226-1810

SUPPLIER NO. 458	DATE OF REQUEST 13-MAR-04	REVISED DATE/BUYER 13-MAR-04 D SINGLETON
PAYMENT TERMS Net 30	SHIP VIA	FOB
FREIGHT TERMS	QUOTE VIA Sealed Bid	CONFIRM TO TELEPHONE BRADLEY THOMPSON
DUE DATE 19-MAR-04		QUOTE INFORMATION VALID FROM 20-MAR-04 TO 20-JUN-04

LINE	ITEM NUMBER / DESCRIPTION	DELIVERY DATE	QUANTITY	UNIT	UNIT PRICE	EXTENSION	TAX
	THIS IS A FORMAL SOLICITATION. BID MUST BE SUBMITTED ON OR BEFORE 4:00 P.M. ON MARCH 19, 2004 AND WILL BE OPENED, BUT NOT READ AT 10:00 A.M. MARCH 22, 2004. THERE WILL BE NO PUBLIC READING OF THE BID.						
	FURNISH: ADVERTISEMENT OF DETROIT CITY COUNCIL PROCEEDINGS AND OTHER CITY RELATED ADVERTISEMENTS (UNTIL TERMINATED)						
	PRICING SHALL BE PROVIDED ON THIS RFQ FORM IN THE UNIT OF MEASURE SPECIFIED.						
	THE FOLLOWING DOCUMENTS ARE ATTACHED TO THIS RFQ AND ARE APART THERE OF:						
	1. TERMS AND CONDITIONS						
	2. SIGNATURE PAGE						
	3. SPECIAL CONDITIONS						
	4. GENERAL CONDITIONS						
	5. CLEARANCE FORMS						
	6. LIVING WAGE CERTIFICATION						
	7. EQUALIZATION ELIGIBILITY FORM						
	8. DETROIT RESIDENCE BUSINESS AFFIDAVIT						
	IF THIS RFQ PACKAGE DOES NOT CONTAIN ALL OF THE ITEMS REFERENCED ABOVE, PLEASE CONTACT THE PURCHASING DIVISION, (313) 224-4600.						

This Is Not An Order

Do Not Detach — Return All Papers



CITY OF DETROIT
FINANCE DEPARTMENT
PURCHASING DIVISION

1008 COLEMAN A. YOUNG
MUNICIPAL CENTER
DETROIT, MICHIGAN 48226
PHONE 313 • 224 • 4600
FAX 313 • 224 • 4374

For Personal or Delivery Service delivery of quotations:

The Coleman A. Young Municipal Center has increased its security measures at all points of entry and exit of the building. Please allow ample time to pass through the security checkpoints to allow for the timely submission of your bid. A list of items **not** allowed in the building is listed below for your information. For delivery by a service or individual other than the bidder, it is the responsibility of the bidder to inform the service or individual of the City of Detroit's security policy.

**NOTICE
COLEMAN A. YOUNG MUNICIPAL CENTER
PROHIBITED ITEMS**

Listed below are items that are **STRICTLY PROHIBITED** in the Coleman A. Young Municipal Center. Your cooperation in this matter is appreciated. Your non-cooperation may result in items being confiscated and possible criminal prosecution under applicable statutes or ordinances.

METAL OR RATTAIL COMBS
All KNIVES, INCL. PEN KNIVES
BULLETS (or anything similar)
RAZORS OR RAZOR BLADES
SPIKES
SCREWDRIVERS, TOOLS, ETC.
GLASS BOTTLES
ALUMINUM CANS
KNIVES, FORKS, SPOONS
CAN OPENERS
NAILS, SCREWS, BOLTS
FINGERNAIL POLISH
CORDS
HEADPHONES WITH CORDS
MEASURING TAPES
PERFUME BOTTLES
CAMERAS
VIDEO CAMERAS
SYRINGES
NEEDLES OF ANY KIND
COIL/NECK/PULL CORDS ON KEY CHAINS
GLASS PICTURE FRAMES
BODY SPRAYS
CIGARETTE LIGHTERS

GUNS(incl. Models, replicas, or toys)
TWEEZERS
BOX CUTTERS
BRASS KNUCKLES
MASTER LOCKS
MACE OR PEPPER SPRAY
SCISSORS
PC37/P38 CAN OPENERS
HAIR CLIPPERS
FLAT IRONS
NAIL FILES
MANICURE SETS/NAIL CLIPPERS
CURLING IRONS
HANDCUFFS
EXPLOSIVE OBJECTS/MATERIALS
HAIRSPRAY
TAPE RECORDERS
HAIRPICKS WITH NO TIPS
SPRAY CANS
LARGE HANGING KEY STRAPS
DENTAL FLOSS
MIRRORS OF ANY KIND
GLASS OF ANY KIND
WIRES/LOOSE BATTERIES

OTHER ITEMS DEEMED TO BE DANGEROUS BY SECURITY PERSONNEL WILL BE EXCLUDED AND CONFISCATED WHEN NECESSARY.

KWAME M. KILPATRICK, MAYOR

GENERAL CONDITIONS:

It is the responsibility of the Bidder to review General Conditions as specified, pages 1 through 6. All changes made to the bid form altering, price, terms, quote and/or conditions, **MUST** be crossed out and initialed. Failure to initial any changes may be grounds for rejection of your bid. **CORRECTION FLUID IS NOT ACCEPTABLE.**

QUOTATIONS/PROPOSALS:

Bidders **MUST** submit an original and **one copy** of the bid quotation/proposal. Additionally, duplicate copies of all descriptive literature and/or samples must be provided as requested.

MINOR DEVIATIONS:

Specifications referred to herein are used to indicate desired type, and/or construction, and/or operation. Other products and/or services may be may be offered if deviations from specifications are minor and if all deviations are properly outlined and stated in the bid document. Failure to outline all deviations may be grounds for rejection of your bid.

The decision of the City of Detroit, acting through the Purchasing Director, shall be final as to what constitutes acceptable deviations from specifications.

RESPONSIBILITIES:

The responsibilities under this (proposed) contract are that the City of Detroit is obligated during the period stipulated to purchase all of its **NORMAL REQUIREMENTS** of the above referenced products and/or services from the contractor, and the contractor is obligated to supply the quantities and/or services which the City of Detroit requires for its operations. Requirements stated herein are approximate but are for entire normal requirements, whether more or less. Requirements stated are not guaranteed.

FURNISH:

DAILY publication of Detroit City Council Proceedings, Ordinances, Legal Notices and printing, binding, delivery of Journal of the City Council. In addition publication of Bids, Notices, Dangerous Buildings, Water & Sewage or any other departmental notices. Publication & Affidavit of publication for a court or statute required public notice, i.e. Probate, Order to Answer, etc. Publication of Display and classified advertising, i.e. employment ads, etc. Contract starts March 1, 2004 and continues until terminated with no renewals.

EQUALIZATION FACTOR:

In accordance with Ordinance No. 15-00, any Detroit based firm shall be deemed a better bid than the bid of any competing firm which is not Detroit-based, whenever the bid of such competing firm shall be equal to or higher than the bid of the Detroit-based firm after the appropriate equalization percentage credit from the Equalization Allowance Table has been applied to the bid of the Detroit-based firm. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder.

Vendors who wish to receive Equalization credit for bids submitted must fill out the attached *Equalization Eligibility Form* and return it with their bid document along with any supporting documentation required to substantiate eligibility. The Equalization Eligibility Form and supporting documentation must be submitted with each and every bid response submitted by the vendor. Failure to return the Equalization Eligibility Form and/or Affidavit along with required documentation will result in equalization credit not being applied to your bid.

FURNISH (con't)

<u>Item #.</u>	<u>Approx. Qty.*</u>	<u>UM</u>	<u>Description</u>	<u>Unit Price</u>
1.	45,000	Inch	Advertising of Printing & Publication of Detroit City Council Proceedings Ordinances, Daily publication, Two (2) inch wide column space.	\$ <u>10.00</u> Inch
2.	100 (Maybe more or less)	Pages	Advertising of Printing & Publication of City Council Proceedings published in pamphlet form. Printing, folding and storage of 300 sets with approx 100 pages, 200 sets delivered to City Clerks office, 100 sets held for later binding.	\$ <u>61.00</u> /Page Page
3.	700	Each	Advertising of Printing & Publication of City Council Proceedings, Publish and Print Ordinance and other miscellaneous slips.	\$ <u>70.00</u> each page
4.	200	Page	Compile, print, City Council Proceedings including index	\$ <u>121.00</u> page
5.	1	Lot	Collate and case bind bound volumes of City Council Proceedings	\$ <u>19,000.00</u> lot
6.	45,000	Inch	Publication of bids, Notices, Dangerous Buildings, Water & Sewage, or any other departmental notice.	\$ <u>10.00</u> Inch
7.	45,000	Inch	Publication & Affidavit of publication for a court or statute required public notice, i.e. Probate, Order to Answer, etc.	\$ <u>10.00</u> Inch
8.	45,000	Inch	Display and classified advertising, i.e. employment ads, etc.	\$ <u>10.00</u> Inch
9.	1	Each	Single copy price of Detroit Legal News newspaper.	\$ <u>0.75</u> Each
10.	1	Lot	Annual Subscription to the Detroit Legal News (Five days).	\$ <u>140.00</u> Lot
11.	1	Lot	Annual Subscription to the Detroit Legal News for 1 day/week, 52 weeks (Council Proceedings).	\$ <u>65.00</u> Lot

*Quantity listed above are not exact, it may be more or less depending on departments needs.

IMPORANT

Bids will only be considered from vendors who have daily Publications and business location within the City of Detroit.

AWARD:

One award of contract will be made on a low total net bid based on the estimated quantities shown. Bidders shall quote on all items, leave no blanks and state "No Charge" where applicable. Blank spaces are considered to be no offer. The City of Detroit reserves the right to delete any item(s) from the award.

All awards are subject to Ordinance No. 52-H, Chapter 12, Article 3.

SPECIFICATION CHECK:

We have read the specifications thoroughly and we:

☒ (X) Are able to meet specifications without deviation.

☐ () All deviations are properly outlined on an attached sheet marked _____ for identification.

SIGNED: _____

TITLE: President

SAMPLE COPY:

Copy must be inspected by prospective bidders at the office of the City Clerk, 200 Coleman A Young Municipal Center, Detroit, Michigan, Mr. Larry Tomic Proofs shall be furnished by the successful bidder prior to run. No extra compensation will be allowed due to a failure to examine the sample prior to the bid.

DELIVERY:

Delivery of slips and forms must be within 30 days after receipt or test. Newspapers to be delivered the same day as published.

☒ [X] We can

☐ [] We cannot meet this delivery we offer _____

The city of Detroit reserves the right to reject bids offering unsatisfactory delivery.

PRICE: (If you do not check one of the following, your bid will be considered firm.)

- A. () Contract prices are not subject to increase, but will be subject to reduction. (This will be considered only in case of identical prices offered.)
- B. () Contract prices are FIRM for the entire contract period.
- C. (x) Contract prices are firm for ONE YEAR and are then subject to adjustment with a maximum increase of 2.5 % for each subsequent year of the contract.

Percentage figure must be shown to obtain consideration under Paragraph C above. For evaluation purposes, the percentage figure shown will be added to your price for the corresponding period(s) in the contract.

The City of Detroit reserves the right to cancel the balance of any contract if any proposed increase (in writing) is considered unacceptable.

TERMS OF PAYMENT:

A discount of 0% will be allowed for payment of invoice within thirty days of delivery and acceptance of the above items and vendor's invoice. Other terms less than thirty (30) days, E.O.M., Proximo, etc., shall not be considered. Payment terms will not be considered in determining the award of the contract(s), except in the case of tie bids. However, discounts may be offered to facilitate prompt payment.

The City of Detroit reserves the unqualified right to reject any bid, which includes a provision for a service charge, levied by a vendor when payment by the City is not made within a specified time period.

This paragraph supersedes paragraph 4 of the General Conditions.

F.O.B:

Delivered to city Clerk's Office, 200 Coleman A Young Municipal Center, Detroit, MI any other city of Detroit locations as required during the contract term.

For all deliveries to agencies within the Coleman a Young Municipal Center and other departmental locations, it shall be the vendor or contractor's responsibility to transport the items from the dock up to the individual location.

CONTRACT ACCEPTANCE:

The successful bidder shall be notified of the execution of a contract by the City of Detroit upon issuance of a "Contract Award Notice" or a Purchase Order. The "Contract Award Notice" shall contain the date the contract award was approved.

The signed, accepted bid of the successful bidder will be the contract between the bidder and the City of Detroit, containing the full description of all contractual terms and conditions. A copy of your signed bid will not be mailed to you. Each bidder shall keep a copy of his/her signed bid form for future reference.

BID WITHDRAWAL:

No bid shall be withdrawn for 90 days from submission deadline. Bidders may reduce this period if stated on bid, but such bids may be rejected based on the reduced time.

This paragraph supersedes paragraph 14 of the General Conditions.

COMPLIANCE WITH LAWS:

The contractor shall fully comply with all Local, State, and Federal laws, Ordinances, and Regulations applicable to this contract and the work to be done hereunder.

The contractor shall secure, at no extra cost to the City of Detroit, all Permits and Licenses necessary for the performance of the work and shall fully comply with all their terms and conditions.

INVOICING:

Invoices submitted against the contract must include part or item numbers and part or item description, list price, and applicable discount.

Items not properly invoiced will not be paid. It is the vendor's responsibility to ensure delivery of invoice(s) to the proper City Dept/Div/Personnel. Invoices must meet the following conditions for payment:

- a) Invoices do not contain all the required information.
- b) Price on invoice does not correspond to the pricing listed on purchase order and/or contract.
- c) Contractor has not submitted price lists in accordance with bid requirements.
- d) Original invoice must be submitted to the appropriate City of Detroit Account's Payable Section.
- e) Copy of invoice must be submitted to the department personnel identified on the purchase order as being responsible for processing payment. If a department contact person is not listed on the purchase order, the vendor shall request in writing, from the Purchasing Division, the name and phone number of the contact person responsible for processing payment.
- f) Hours serviced must be rounded off either up or down to the nearest whole number. No fractions of hours will be used in the calculations to determine pay.